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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/892,347    07/14/97    GERSHFELD    J    LB970629

LM02/0609

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EXAMINER

BROWN, R

ART UNIT

PAPER NUMBER

2711

8

DATE MAILED: 06/09/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/892,347**

Applicant  
**Gershfeld**

Examiner  
**Reuben M. Brown**

Group Art Unit  
**2711**



☒ Responsive to communication(s) filed on Feb 28, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 5-15 is/are allowed.

☒ Claim(s) 1-4 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Electronics Workbench, (User's Guide, 1995).

Considering claims 1 & 2, Electronics Workbench User's Guide is directed to a disclosure for arranging circuits to be analyzed, preferably using an oscilloscope. Specifically, Chapter 4 includes an experiment wherein a sine wave generated by a function generator, which reads on the first electrical signal, is passed through a low pass filter, which reads on the degrading circuit. On page 10 & page 11, of Chapter 4 the original sine wave is displayed with respect to the degraded sine wave on an oscilloscope. Therefore the claimed means for synchronizing and combining the

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electrical signals and generating a visual representation reads on the operation of the circuit as disclosed by the Electronic's Workbench User's Guide.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Electronic's Workbench.

Considering claims 3 & 4, Official Notice is taken that at the time the invention was made, it was well known in the art to compare the results of degraded video signals. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Electronic's Workbench, with the well known technique of comparing degraded video signals to non-degraded video signals, at least for the desirable benefit of analyzing the effects of a transmission circuit on video signals.

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*Allowable Subject Matter*

5. Claims 5-15 are allowed. Considering claim 5, prior art of record does not show the claimed method for evaluating the degradation of an electrical signal caused by a circuit comprising the combination of steps of placing a first electrical signal in communication with an input of the circuit; passing the first electrical signal through the circuit thereby causing the circuit to output a degraded electrical signal; providing a compensation means; providing a means of synchronizing and combining electrical signals having at least a first and second input and one output, placing the degraded electrical signal in communication with the first input of the synchronizing and combining means; placing a second electrical signal, substantially identical to the first electrical signal, in communication with the second input of the synchronizing and combining means; placing the output of the synchronizing and combining means in communication with a plurality of means for creating visual representations of electrical signals in a way that the visual representation of the degraded electrical signal and the second electrical signal are presented separate from each other and the representation is not altered by the representation of any other signal, comparing the visual representation of the degraded image and that of the representation of the second electrical signal; altering the adjustment controls of the compensation means so that the visual representation of the degraded signal so that it is modified to resemble as closely as possible the visual representation of the second electrical signal. Considering claims 6 & 8, the instant claims comprise substantially the same subject matter as recited in claim 5 &

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additional steps, and are allowable for at least the same reasons. Claims 7 & 9-15 depend upon allowed claims and are allowable for at least the same reasons.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-6306, (for formal communications intended for entry)

**Or:**

(703) 308-6296 (for informal or draft communications, please label

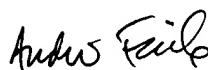
"PROPOSED" or "DRAFT")

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (703) 305-2399. The examiner can normally be reached on Monday thru Friday from 830am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

  
ANDREW I. FAILE  
SUPERVISORY PATENT EXAMINER  
GROUP 2700